



WILLIAM T FUJIOKA
Chief Executive Officer

County of Los Angeles CHIEF EXECUTIVE OFFICE

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March 18, 2008

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
Los Angeles, California 90012

Dear Supervisors:

**ADOPT A RESOLUTION AUTHORIZING THE SUBMITTAL OF AN APPLICATION
FOR THE FIRST PHASE OF THE PUBLIC SAFETY AND OFFENDER
REHABILITATION SERVICES ACT OF 2007 (AB900)
(FIFTH DISTRICT) (3 VOTES)**

IT IS RECOMMENDED THAT YOUR BOARD:

Adopt and sign the Resolution authorizing the Chief Executive Officer to submit an application for Phase I of the Public Safety and Offender Rehabilitation Service Act of 2007, which provides state funds for the design and construction of local adult detention facilities.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The recommended actions will authorize the Chief Executive Officer to submit an application to California Department of Correction and Rehabilitation, Correction Standards Authority, for funding to design and construct a high-security jail facility at Mira Loma Detention Center for male inmates, pursuant to Assembly Bill (AB) 900.

The Public Safety and Offender Rehabilitation Service Act of 2007 (AB900) was enacted in 2007 and offers a total of \$1.2 billion dollars in funding to California counties for the construction of local jail facilities. Funding is to be made available in two phases. Phase I will entail the allocation of \$750.0 million to counties on a competitive basis. A minimum of 4,000 local jail beds and 2,000 reentry must be under construction or sited under Phase I before Phase II funding of \$470.0 million will be made available for competitive allocation. In addition, Phase I funding must be fully expended by June 30, 2017.

Board of Supervisors
GLORIA MOLINA
First District

YVONNE B. BURKE
Second District

ZEV YAROSLAVSKY
Third District

DON KNABE
Fourth District

MICHAEL D. ANTONOVICH
Fifth District

Grants under AB900 are limited to a maximum amount of \$100.0 million for counties with a population greater than 700,000 and to 75 percent of eligible construction costs for a single jail facility project. The local county is responsible for providing a grant match for the remaining 25 percent in project costs, with a minimum cash match equal to 10 percent of the total eligible project costs.

In a separate item on today's agenda, your Board is considering a Revised Jail Facilities Plan which entails the replacement of the Sybil Brand Institute, a new housing design for female inmates at Pitchess Detention Center, some modifications to Men's Central Jail, and the design and construction of a new high-security jail facility for male inmates at the Mira Loma Detention Center. The overall plan is estimated to cost \$672.0 million, with the Mira Loma high-security jail facility expected to cost \$329.7 million itself. Authorization to submit an application for an AB900 grant for the Mira Loma project could provide a significant offset to the project's anticipated cost.

The Request for Proposal for the "Construction or Expansion of County Jails" issued by the Corrections Standards Authority pursuant to AB900 indicates that applications will be ranked based upon a 1,325 point scale. A total of 400 additional "preference" points can be awarded by the State if a county agrees to the following conditions:

- 150 points to counties that agree to cooperate with the California Department of Corrections and Rehabilitation in the reintegration of adult offenders into local communities and the siting of a future State Reentry Facility;
- 150 points to counties that identify a specific site that will be conveyed to the State as a site for a future State Reentry Facility;
- 50 points to counties that agree to provide a site for a mental health day treatment and crisis care facility and/or agree to provide mental health and substance abuse treatment to parolees after the completion of parole; and
- 50 points to counties that identify a specific site for a mental health day treatment center.

It is recommended that the County agree to cooperate with the State in reintegration efforts and the siting of a future Reentry Facility. Such a commitment would make the County eligible for 150 preference points.

Due to the lack of programmatic details regarding reentry facilities and the potential sensitivity of local communities toward such facilities, identification and commitment of a specific site is not recommended at this time. It is also unclear if the State will provide

operational funding for the proposed mental health day treatment and crisis care facilities, or if that burden would fall onto counties. For that reason, a commitment to providing a site or identification of a specific site is not recommended at this time.

Accordingly, the attached resolution confirms the County's commitment to cooperating with the State in the reintegration of adult offenders into local communities, which will maintain our eligibility for up to 150 additional preference points. It refrains, however, from committing the County to the other conditions for preference points.

The deadline for submittal of an application is today, March 18, 2008. Accordingly, the attached Resolution authorizing the grant application must be adopted today if your Board intends to apply for this grant.

Implementation of Strategic Goals

The recommended actions meet the County Strategic Plan Goal of Fiscal Responsibility by investing in the infrastructure of the County's jail system.

FISCAL IMPACT / FINANCING

The maximum amount the County would be eligible to receive under the AB900 grant program is \$100.0 million, which would be applied to the cost of the Mira Loma high-security facility. The funding currently appropriated by your Board for the Jail Facilities Plan would be more than sufficient to satisfy the 25% grant match.

If the County is awarded a grant, we will return to your Board with recommendations regarding the grant and its impact on the funding plan for the Revised Jail Facilities Plan being considered by your in a separate item on today's agenda.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

In accordance with the Public Safety and Offender Rehabilitation Services Act of 2007 (AB900) and the requirements set forth by the Corrections Standards Authority this Board Resolution is a technical requirement of the RFP, without exception.

ENVIRONMENTAL DOCUMENTATION

The recommended actions related to the grant application are not subject to the California Environmental Quality Act (CEQA), in that the actions do not meet the definition of a project according to Section 15378 (b)(2)(4)(5) of the State CEQA Guidelines because the actions are administrative activities which do not involve any

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commitment to a specific project which may result in a potentially significant impact on the environment.

IMPACT ON CURRENT SERVICES

None.

CONCLUSION

Please provide one stamped, adopted copy of the attached Resolution to the Chief Executive Office, Capital Projects Division.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'WTF', followed by a long horizontal flourish.

William T Fujioka
Chief Executive Officer

WTF:LDB:SRH
DC:DL:JSE:DJT

Attachment

c: County Counsel

RESOLUTION

WHEREAS, AB 900 (Solorio), the Public Safety and Offender Rehabilitation Services Act, which was signed into law by the Governor on May 3, 2007, authorizes the California Department of Corrections and Rehabilitation (CDCR), the State Public Works Board (PWB) and a participating county to enter into a construction agreement in order to acquire, design, and construct a local jail facility approved by the Corrections Standards Authority (CSA); and

WHEREAS, the CSA has issued a Request for Proposals ("RFP") for Construction or Expansion of County Jails for the purpose of entering into such agreements and disbursing funds in support of such construction; and

WHEREAS, AB 900 requires, and the RFP provides, that in distributing funds a preference be given to counties that assist the CDCR in siting CDCR reentry facilities; and

WHEREAS, the RFP requires each county submitting a proposal to include a resolution approved by its Board of Supervisors;

NOW, THEREFORE, the Los Angeles County Board of Supervisors hereby resolves:

1. That the County of Los Angeles has identified the following key staff:

County Construction Administrator and Project Contact Person:

David Jan Takata, Senior Manager
Chief Executive Office

Project Financial Officer:

Jacqueline White, Manager
Chief Executive Office

2. That the Board authorizes Doyle Campbell, Deputy Chief Executive Officer, Public Safety, to sign the RFP Agreement and submit the proposal for funding in accordance with the requirements of the RFP.
3. That the County of Los Angeles assures that it will adhere to State requirements and terms of the agreements between the County, the CDCR, the CSA and the PWB in the expenditure of State funds and County matching funds.
4. That the County has appropriated or will appropriate, after conditional project award but before execution of State/County funding agreements, the amount of match identified by the County on the funding proposal form submitted to the CSA, which amount shall be a minimum of Ten Million Dollars (\$10,000,000) and may be up to, but not to exceed a twenty-five percent (25%) match; that the source of this cash match shall be the County General Fund; and that the County assures that State and County matching funds do not supplant funds otherwise dedicated or appropriated for construction activities.
5. That the County will fully and safely staff and operate the facility that is being constructed (consistent with Title 15, California Code of Regulations) within ninety (90) days after project completion.
6. That the County will provide a site assurance for the local jail at the time of proposal or not later than ninety (90) days following the CSA's notice of Intent to Award.
7. That the County has project site control for the construction of the jail project through either fee simple ownership of the site or comparable long-term possession of the site, and right of access to the project sufficient to assure undisturbed use and possession of the site, and will not dispose of, modify the use of, or change the terms of the real property title, or other interest in the site of facility subject to construction, or lease the facility for operation to other entities, without permission and instructions from the CSA.
8. That the County attests that the cost or current fair market land value for the proposed new or expanded jail facility is approximately \$1,025,000
9. That the County is seeking preference points in the RFP and in that regard, the County agrees to work with the CDCR toward achieving the goal of improving successful reintegration of adult offenders into the communities of Los Angeles County.
10. That the County, at the time of the submission of the RFP, will have a signed agreement to cooperate with the CDCR, and stipulates that a Reentry Planning Team is planned or existing for the purpose of working

collaboratively with the CDCR, as evidenced by copies of local meeting/planning documents that will be provided to the CDCR.

I DO HEREBY CERTIFY that at a regular meeting of the Board of Supervisors of the County of Los Angeles on the 18th day of MARCH, 2008, the foregoing Resolution was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Board of Supervisors of the County of Los Angeles this 18th day of MARCH, 2008.

The foregoing resolution was on the 18th day of MARCH, 2008 adopted by the Board of Supervisors of the County of Los Angeles and ex officio the governing body of all other special assessment and taxing districts, agencies and authorities for which said Board so acts.



SACHI A. HAMAI, Executive Officer
Clerk of the Board of Supervisors of the
County of Los Angeles

By: 

Deputy

APPROVED AS TO FORM:

RAYMOND G. FORTNER, JR.
County Counsel

By: 

GARY P. GROSS
Principal Deputy County Counsel